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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 003994

SIPDIS

DEPT FOR EAP, EAP/IET, EAP/PMBS, INR/EAP, INR/B, DS  
NSC FOR GREEN

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TAGS: [PGOV](#) [PINS](#) [PINR](#) [ASEC](#) [RP](#)

SUBJECT: IMPEACHMENT HEARINGS CONTINUE WITH KEY VOTES  
EXPECTED SOON

REF: A. MANILA 3901

- [1](#)B. MANILA 3862
- [1](#)C. MANILA 3810
- [1](#)D. MANILA 3697
- [1](#)E. MANILA 3391

Classified By: Political Officer Timothy Cipullo for  
reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: Impeachment hearings in the House Justice Committee continued on August 30. The pro-Arroyo Majority made clear that it intends to vote against allowing the House to review the Opposition's amended impeachment complaint against President Arroyo. The Opposition argues that its complaint should be fully aired. It is not clear when key votes on the matter will be taken, but they are expected in the next day or so. Leftists, joined by some mainstream Opposition elements, held a rally near Congress calling for Arroyo's impeachment on August 30. About 4,000 people participated, but there were no reports of violence. It appears that the only chance the Opposition has now to push forward with impeachment is to gain enough support for its complaint to earn a referral to the Senate, but that prospect seems unlikely. End Summary.

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Debate Continues  
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[1](#)2. (U) The House Justice Committee resumed its hearings on the impeachment complaints filed against President Arroyo on August 30. As has been the case in earlier sessions, debate centered around the issue of whether the Committee should consider the amended complaint filed by Opposition lawmakers on July 25 or complaints filed earlier by private citizens (ref d). Opposition lawmakers argued that its July 25 complaint merely strengthened the substance of the original complaints and insisted that the Committee consider all of its evidence against the President. Majority lawmakers argued that the amended complaint is a separate petition and, as such, is invalid because the law forbids filing additional complaints within a year of the original charges. In speeches containing great detail on procedural matters, lawmakers also debated the validity of all the complaints on myriad technical grounds. At about 4:40 PM local time, Committee Chairman Simeon Datumanong declared the debate over and called for a vote on initial procedural issues. Pandemonium ensued, with Opposition members loudly demanding to take the floor. At this point, Datumanong gaveled the hearings closed for the day and Opposition members stormed out of the building. Hearings are scheduled to resume on August 31, though there is an outside chance that the House will hold an unscheduled session later tonight.

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Votes Expected Soon  
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[1](#)3. (U) Majority members of the Justice Committee are expected to push for votes on the issue of which complaint(s) to recognize whenever hearings resume. Some Opposition members believe that if the Committee refuses to accept its amended complaint the impeachment effort cannot go forward. Other Opposition members argue, however, that they can proceed regardless of which complaint the Justice Committee recognizes (see ref a). At the same time, some Majority lawmakers have suggested that none of the complaints may be valid because of technical deficiencies. If the Committee were to refuse to recognize all three complaints, the impeachment hearings would essentially be over.

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Opposition Rally  
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[1](#)4. (U) The Opposition also sponsored a public rally on August [1](#)30. Opposition lawmakers attended a mass at a church near Congress in Quezon City, where Bishop Antonio Tobias (a left-leaning Catholic prelate) in his homily urged President Arroyo to "listen to the sentiments of the people." Susan Roces, the widow of former presidential candidate Fernando

Poe Jr., also attended the mass. Afterward, she marched with pro-Opposition religious and civil society groups to the House of Representatives, where she observed the hearings from the gallery. The hearings were briefly interrupted when several pro-Opposition spectators unfurled banners calling for the impeachment of President Arroyo. This prompted the presiding officer to order the removal of the group from the session hall. Outside of the House, meanwhile, around 4,000 protesters held an anti-Arroyo rally. According to emboff who observed the rally, most of the protesters belonged to leftist groups such as Bayan Muna, Gabriela, Anak Pawis, Migrante, etc. A large contingent of police prevented the demonstrators from entering House grounds and there were no reports of violence as of 5:00 PM August 30.

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Comment  
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15. (C) It appears that the only chance the Opposition has now to push forward with impeachment is to gain enough support for its complaint to earn a referral to the Senate. The Opposition's complaint seems to have anywhere from 45 to 65 endorsers depending on what source is being cited, but that is not enough: it needs 79 or more endorsements (or more than one-third of the total House membership). At this point, unless the Opposition can pull off a surprise, it seems that there is little chance that its complaint is going anywhere. If the Opposition loses in the Justice Committee, however, the turbulence will not end. As with today's rally, the Opposition has made clear that it will continue its effort to oust Arroyo via demonstrations, press events, etc.

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JOHNSON